

FCC MAIL SECTION

DOCKET FILE COPY ORIGINAL

Rm 222  
RECEIVED

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

MAY 11 10 21 AM '93

MAY 10 1993

MAY 11 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY  
IN B 1800DS

DISPATCHED BY  
John F. Garziglia, Esq.  
Pepper & Corazzini  
200 Montgomery Building  
1776 K Street, N.W.  
Washington, D.C. 20006

Dear Mr. Garziglia:

This is in response to the petition for rule making which you submitted on behalf of Kidd Communications, permittee of Station KBCH-FM, Channel 299C3, Kings Beach, California, requesting the substitution of Channel 299C2 for Channel 299C3 and modification of the permit for Station KBCH-FM accordingly.

The proposed site for Channel 299C2 is located approximately 30.4 kilometers (18.9 miles) from Kings Beach. At the rule making stage, a Class C2 allotment is assumed to provide a 70 dBu signal over its community of license when the transmitter is located no more than 32.6 kilometers (20.3 miles) from the community's furthest point. The petition states that this proposal would comply with the requirements of Section 73.315(a) of the Commission's Rules, as the permittee plans to use an antenna with the radiation center 952.2 meters (3,123 feet) above average terrain and an effective radiated power of 0.8 kW, for an HAAT and power combination equating to a Class C2 facility. The petition states that on the 258' radial in the direction of Kings Beach, with a radiation center 1,002.4 meters (3,288 feet) above average terrain, the proposed operation would enable the 70 dBu signal to extend a distance of 31.8 kilometers (19.8 miles).

Based upon our engineering analysis, a terrain profile study reveals that, using the transmitter site coordinates specified in your petition (39-17-30 and 119-40-35), Channel 299C2 would not provide line-of-sight service to the community of Kings Beach, as required by Section 73.315 of the Commission's Rules. Our analysis reveals a major terrain obstruction of approximately 2,510 meters (8,233 feet) AMSL approximately 20 kilometers (12.4 miles) west of the proposed site. While the proposed facility would be above the obstruction, it would not provide line-of-sight service from the requested site to Kings Beach. The Commission generally will not make an allotment absent a showing that a site is available which will clear any major intervening obstructions and provide the community with a minimum signal of 70 dBu. See, e.g., Pinckneyville, Illinois, 41 R.R. 2d 69, 71 (1977).

In view of the above, we find that your petition for rule making is unacceptable for consideration.

Sincerely,

Michael C. Ruger  
Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau

No. of Copies Made  
LHABCOE

bc: Secretary's Office (2 copies) (filed 4/30/93)

joyner/ltrs kings  
(created 5/6/93)